



Consumer Protection Information for Used Car Buyers

Air Pollution Control Program fact sheet

6/2003

Statutes containing the following requirements supersede "as is" declarations on sales contracts or bills of sale to individuals.

Vehicles bought from a dealer

Automobile dealers have an obligation to sell vehicles that will pass the emissions test (643.315.5, Missouri Revised Statutes). Dealers have two ways of meeting this obligation.

Dealers may sell a vehicle that has had an emissions test performed within 120 days of the date of sale. The dealer will provide the purchaser with the emissions test certificate to be used to register the vehicle within 120 days of the test date. Failure to register the vehicle within that time obligates the purchaser to have a new emissions test performed. Purchasers should understand that the vehicle may have failed the test and received a waiver. If this is the case, the vehicle may fail future emissions tests.

Dealers may also sell a vehicle without a valid emissions test certificate. Dealers are required to inform the purchaser in writing on both the bill of sale and the purchase contract that they have 10 days or 1,000 miles to get the vehicle's emissions inspected. Purchasers of such a vehicle should have the vehicle's emissions tested within 10 days of purchase and with no more than 1,000 additional miles put on it. If the vehicle fails the emissions test, the purchaser should return the vehicle to the dealer immediately. The dealer is required to have the necessary repairs made so that the vehicle will pass the emissions test and not receive a waiver. Dealers are obligated to accomplish this within 5 days, or they must come to some other mutually agreeable decision regarding the vehicle purchase. If the vehicle's emissions are tested after 10 days or 1,000 miles, the purchaser is responsible for acquiring the emissions test certificate needed to register the vehicle. If purchasers are not satisfied with a dealer's response, they can call the Consumer Protection Hotline at 1-800-392-8222.

Note: Vehicles sold with Junk, Salvage, or Rebuild titles or vehicles purchased at a public auction are exempt from these dealer requirements. If you purchase a used vehicle through any of these means, you are fully responsible for the cost to repair the vehicle to pass the emission inspection or receive a waiver.

Dealer requirements apply to residents of the emissions test area (St. Louis City, Franklin, Jefferson, St. Charles and St. Louis counties) regardless of the dealer's location.

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Vehicles bought from a private individual

Private sellers of vehicles are required to provide the purchaser with a current emissions test approval or waiver for the vehicle prior to sale. The vehicle purchaser has 60 days from the date of the emissions test to use the certificate for registration (643.315.1, Missouri Revised Statutes).

Note: If you purchase a used vehicle from a private seller without asserting this right prior to the time of sale, you are fully responsible for the cost to repair the vehicle to pass the emission inspection or receive a waiver.

Additional information

For more information about the emissions test process, call or write

Missouri Department of Natural Resources

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